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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,917	01/28/2002	Atsushi Hanai	218915US2	1495
22850	7590	03/22/2007		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER OUELLETTE, JONATHAN P	
			ART UNIT	PAPER NUMBER
			3629	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/22/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/055,917	Applicant(s) HANAI ET AL.	
	Examiner Jonathan Ouellette	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2006 and 12 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. <u>20061026</u> |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Request for Continued Examination

1. The Request filed on 12/21/2006 for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 10/026836 is acceptable and a RCE has been established. An action on the RCE follows.

Response to Amendment

2. Claims 1-20 remain pending in application 10/055,917.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith (US 6,901,430).
5. As per independent Claims 1, 4, 7, and 8, Smith discloses a server device (method, computer readable recording medium) comprising: a customer-information storage section which stores customer information regarding at least one pre-existing customer (C21 L25-48,

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common membership database; second embodiment, user garage C31 L20-67, C32 L1-7; third embodiment, user order database C22 L10-22), wherein the customer information regarding the at least one pre-existing customer was obtained in a registration process for each pre-existing customer (C19-C20, customer profile information in a common membership database when a user makes a purchase or requests data; C21 L31-33, retrieves customer profile data to *or from* common membership database); a staff-information storage section which stores staff information regarding at least one sales staff in association with the customer information stored in said customer-information storage section (Dealer Data, C29 L16-26); a communications section which sends and receives predetermined information to and from at least one customer terminal and at least one sales-staff terminal which are connected with each other through a communications network (abstract, Fig.2, C3 L19-22); a product-information sender which sends predetermined product information to the at least one customer terminal through said communications section (C8 L28-37, Product configuration and price information); a contact-information receiver which receives contact information sent, to any sales staff, from the at least one customer terminal in association with the product information sent by said product-information sender, through said communications section (C12 L48-55, consumer requests a quote/lead); a customer information acquirer which acquires customer information regarding a customer corresponding to the at least one customer terminal from said customer-information storage section, in response to the contact information received by said contact-information receiver (C12 L48-55, information routed to work flow manager); a staff-information acquirer which acquires staff information regarding a specified sales staff associated with the pre-existing

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customer, from said staff-information storage section, in accordance with the customer information acquired by said customer information acquirer (C21 L25-48); and a sales-information sender which sends the customer information acquired by said information acquirer and the product information sent by said product information sender, to a targeted sales-staff terminal through said communications section in accordance with the staff information acquired by said staff information acquirer (C12 L48-55, Lead information sent to dealer; C21 L25-48).

6. As per Claims 2 and 5, Smith discloses wherein: said product-information sender sends a Web page including predetermined product information to the at least one customer terminal (C7 L64-67, C8 L1-23); and said sales-information sender sends an e-mail (networked based electronic communication) including the customer information acquired by said customer information acquirer and the contact information received by the contact-information receiver, to the at least one sales-staff terminal (Fig.2, C12 L48-55).
7. As per Claim 3, Smith discloses wherein said staff information storage section stores staff information including an e-mail address of a sales staff; said staff information acquirer acquires staff information including e-mail address of a specified sales staff associate with a pre-existing customer; and said sales-information sender sends an e-mail (networked electronic message) including the information regarding the pre-existing customer and acquired by said information acquirer and the contact information received by said contact-information receiver, to an e-mail address (equivalent to network address) acquired by said staff-information acquirer (C21 L25-48).

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8. As per **independent Claim 6**, Smith discloses a method for supporting sales performance, comprising the steps of: sending a Web page including product information, in response to accessing from at least one customer terminal through a communications network, to the at least one customer terminal (C7 L64-67, C8 L1-23; C8 L28-37, Product configuration and price information); receiving contact information sent, to any sales staff, from said at least one customer terminal in association with the product information sent at said step of sending the product information (C12 L48-55, consumer requests a quote/lead); acquiring customer information regarding a pre-existing customer corresponding to said at least one customer terminal, from a predetermined customer-information storage section storing customer information, in accordance with the contact information received at said step of receiving the contact information (C12 L48-55, information routed to work flow manager), wherein the customer information regarding the at least one pre-existing customer was obtained in a registration process for each pre-existing customer (C19-C20, customer profile information in a common membership database when a user makes a purchase or requests data; C21 L31-33, retrieves customer profile data to *or from* common membership database); acquiring staff information regarding a specified sales staff associated with the pre-existing customer, from a staff-information storage section storing staff information (Dealer Data), in accordance with the customer information acquired at said step of acquiring the customer information regarding the pre-existing customer; and setting, as an addressee, an e-mail address (networked electronic message) included in the staff information acquired at said step of acquiring the information regarding the at least one corresponding sales staff, thereby sending an e-mail including the customer information acquired at said step of acquiring the

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customer information and the contact information received at said step of receiving the contact information, to said at least one sales-staff terminal of a targeted sales staff through a communications network (C12 L48-55, Lead information sent to dealer; C21 L25-48).

9. As per **independent Claims 9, 13, 17, and 19**, Smith discloses a server device (method, computer readable recording medium) comprising: a customer-information storage section which stores customer information regarding at least one pre-existing customer, wherein the customer information regarding the at least one pre-existing customer was obtained in a registration process for each pre-existing customer (C19-C20, customer profile information in a common membership database when a user makes a purchase or requests data; C21 L31-33, retrieves customer profile data to *or from* common membership database); a staff-information storage section which stores staff information regarding at least one sales staff in association with the customer information stored in said customer-information storage section; a communications section which sends and receives predetermined information to and from at least one customer terminal and at least one sales-staff terminal connected with each other through a communications network (abstract, Fig.2, C3 L19-22); a product-information sender which sends predetermined product information to the at least one customer terminal through said communications section (C8 L28-37, Product configuration and price information); a request-information receiver which receives request information requesting a detailed description of a product, sent from the at least one customer terminal in association with the product information sent by said product-information sender, through said communications section (C12 L48-55, consumer requests a quote/lead); a customer information acquirer which acquires customer information regarding a customer

corresponding to the at least one customer terminal from the customer information storage section, in response to the request information received by said request-information receiver (C12 L48-55, information routed to work flow manager); a staff-information acquirer which acquires staff information regarding a specified sales staff associate with the pre-existing customer, from said staff-information storage section, in accordance with the customer information acquired by said customer information acquirer; and a sales-information which sends the customer information acquired by said customer information acquirer and the request information received by said request information receiver, in accordance with the staff information acquired by said staff information acquirer to the at least one sales-staff terminal through the communications section (C12 L48-55, Lead information sent to dealer; C21 L25-48).

10. As per Claims 10 and 14, Smith discloses wherein: said product-information sender sends a Web page including the predetermined product information to the at least one customer terminal (C7 L64-67, C8 L1-23); and said sales-information sender sends an e-mail (networked based electronic communication) including the customer information acquired by said customer information acquirer and the request information received by said request information receiver to the at least one sales-staff terminal (Fig.2, C12 L48-55).
11. As per **independent Claim 11**, Smith discloses a server device comprising: a customer-information storage section which stores in advance customer information regarding at least one pre-existing customer (C21 L25-48, common membership database; second embodiment, user garage C31 L20-67, C32 L1-7; third embodiment, user order database C22 L10-22), wherein the customer information regarding the at least one pre-existing customer

was obtained in a registration process for each pre-existing customer (C19-C20, customer profile information in a common membership database when a user makes a purchase or requests data; C21 L31-33, retrieves customer profile data to *or from* common membership database), a staff-information storage section which stores staff information regarding at least one sales staff in association with customer information regarding the at least one customer stored in said customer-information storage section (Dealer Data, C29 L16-26); a communications section which sends and receives predetermined information to and from at least one customer terminal and at least one sales-staff terminal through a communications network (abstract, Fig.2, C3 L19-22); a customer-information sender which sends the pre-existing customer information stored in said customer-information storage section to the at least one customer terminal through said communications section (C8 L28-37, Product configuration and price information); a request-information receiver which receives request information for requesting update of the customer information, sent from the at least one customer terminal in association with the customer information sent by said customer-information sender, through said communications section (C12 L48-55, consumer requests a quote/lead); a customer information updating section which updates the customer information regarding the at least one pre-existing customer and received by said request-information receiver (C21 L25-48, new customer information is stored in and retrieved from the common membership database); a staff information acquirer which acquires staff information regarding a specified sales staff associated with the pre-existing customer, from said staff-information storage section; and a sales-information sender which sends the customer information updated by said customer information updating section, to the at least

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one sales-staff terminal through the communications section in accordance with the staff information acquired by said staff information storage section (C12 L48-55, Lead information sent to dealer; C21 L25-48).

12. As per Claim 12, Smith discloses wherein: said customer-information sender sends a Web page including the customer information corresponding to the at least one customer terminal to the at least one customer terminal (C7 L64-67, C8 L1-23); and said sales-information sending section sends an e-mail (networked based electronic communication) including the customer information updated by said customer information updating section, to said at least one sales-staff terminal (Fig.2, C12 L48-55).

13. As per **independent Claims 15, 18, and 20**, Smith discloses a method (computer readable recording medium) for supporting sales performance, comprising the steps of: sending information regarding at least one pre-existing customer stored in a customer-information storage section (C21 L25-48, common membership database; second embodiment, user garage C31 L20-67, C32 L1-7; third embodiment, user order database C22 L10-22), in response to accessing from the at least one customer terminal through a communications network, to the at least one customer terminal (C8 L28-37, Product configuration and price information), wherein the customer information regarding the at least one pre-existing customer was obtained in a registration process for each pre-existing customer (C19-C20, customer profile information in a common membership database when a user makes a purchase or requests data; C21 L31-33, retrieves customer profile data to *or from* common membership database); receiving request information, sent from the at least one customer terminal in association with the customer information sent at said step of sending the

customer information and requesting update of the customer (C12 L48-55, consumer requests a quote/lead); updating the customer information registered in the customer-information storage section, in accordance with the request information received at said step of receiving the request information (C21 L25-48, new customer information is stored in and retrieved from the common membership database); acquiring staff information regarding a specified sales staff associated with the pre-existing customer, from said staff-information storage section storing the staff information; and sending the customer information updated at said step of updating the customer information, to at least one sales-staff terminal through a communications network in accordance with the staff information acquired at said step of acquiring staff information (C12 L48-55, Lead information sent to dealer; C21 L25-48).

14. As per Claim 16, Smith discloses wherein: said step of sending the customer information includes a step of sending a Web page including the customer information corresponding to the at least one customer terminal, to the at least one customer terminal (C7 L64-67, C8 L1-23); and said step of sending the sales information includes a step of sending an e-mail (networked based electronic communication) including the customer information updated at said step of updating the customer information, to the at least one sales-staff terminal (Fig.2, C12 L48-55).

Response to Arguments

15. Applicant's arguments filed 11/29/2006, with respect to Claims 1-20, have been considered, but are not persuasive. The rejection will remain as Non-Final, based on the cited prior art.

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16. The Applicant has made the argument that the prior art fails to teach or disclose a server device having a customer information storage section which stores customer information regarding at least one pre-existing customer, wherein the customer information regarding the at least one pre-existing customer was obtained in a registration process for each pre-existing customer; and a staff-information acquirer which acquires staff information regarding a specified sales staff associated with the pre-existing customer from the sales staff information storage section, in accordance with the customer information acquired by the customer information acquirer.
17. However, after further search and analysis of the Smith reference, the Examiner has determined that Smith does disclose saving customer profile information in a common membership database when a user makes a purchase or requests data (C19-C20, C21 L31-33), and Smith also discloses retrieving consumer information from the database (Fig.19, bi-directional flow of data; C21 L31-33, retrieves customer profile data to *or from* common membership database) when matching a lead with a dealer (C21 L25-48).
18. Furthermore, Smith discloses a staff-information acquirer which acquires staff information regarding a specified sales staff associated with the customer, from said staff-information storage section, in accordance with the customer information acquired by said customer information acquirer (C21 L25-48, dealer identified based on customer needs – system dealer is equivalent to sales staff).

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Conclusion

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
20. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
21. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.

March 16, 2007

JONATHAN OUELLETTE
PRIMARY EXAMINER
TECHNOLOGY CENTER 3600

